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DOCKET NO. 02AB102 / ALBRP296US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Applicant: **Timothy Siorek, et al.**  
Serial No.: **10/670,611**  
Filed: **September 25, 2003**  
For: **EMBEDDED NETWORK TRAFFIC ANALYZER**  
Art Unit: **2858**  
Examiner: **Unknown**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications, (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120 or (c) U.S. patent (s) and published application(s) since the subject application was filed after June 30, 2003.

Serial No.: \_\_\_\_\_  
Filing Date: \_\_\_\_\_

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) \_\_\_\_ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) \_\_\_\_ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) \_\_\_\_ Within 3 months of the filing date or date of entry into the National Stage.
- (b) X Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the

absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R.

(c) \_\_\_ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) \_\_\_ The required certification is given below, or

(2) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

(d) \_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or


4. Certification (if applicable)

(a) \_\_\_ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) \_\_\_ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

Respectfully Submitted,  
AMIN & TUROCY, LLP

By


  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450. Alexandria, VA 22313-1450.

Date: 7-28-04

  
Himanshu S. Amin



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PTO/SB/08A (10-01)  
Approved for use through 10/31/2002. OMB 0651-0031  
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| Substitute for form 1449A/PTO   |   | <b>Complete if Known</b>      |                    |
|   |   | <b>Application Number</b>     | 10/670,611         |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   | <b>Filing Date</b>            | September 25, 2004 |
|   |   | <b>First Named Inventor</b>   | Timothy Siorek     |
|   |   | <b>Art Unit</b>               | 2858               |
|   |   | <b>Examiner Name</b>          | Unknown            |
|   |   | <b>Attorney Docket Number</b> | 02AB102 / ALBRP296 |
| Sheet   | 1 | of                            | 2                  |

| U.S. PATENT DOCUMENTS |               |  |                                |  |   |
|-----------------------|---------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. 1 | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |               | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       |               | US- 2004/00337217                          | 2-26-2004                      | Danzig, et al.                                     |   |
|                       |               | US- 2004/0109410                           | 6-10-2004                      | Chase, et al.                                      |   |
|                       |               | US- 2003/0195958                           | 10-16-2003                     | Byron, et al.                                      |   |
|                       |               | US- 2003/0157895                           | 8-21-2003                      | Agrawal, et al.                                    |   |
|                       |               | US-  |                                |  |   |
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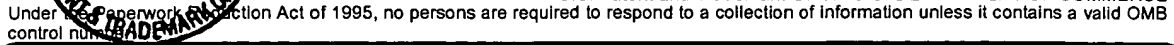
| FOREIGN PATENT DOCUMENTS |               |   |                                |  |   |                |
|--------------------------|---------------|---|--------------------------------|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. 1 | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |               | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                |  |   |                |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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